



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER NUMBER |
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DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr Ebrahmsky (3) _____
(2) Mr Tami (4) _____

Date of Interview 8/21/02

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description: _____

Agreement ☐ was reached. ☐ was not reached.

Claim(s) discussed: 1

Identification of prior art discussed: Seiden

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant argues the guide pin & eccentric wheel are not shown in the Seiden reference. The examiner disagrees but will review the formal response filed by the Applicant.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

Carl Tami

Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

A complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

§1 133 Interviews

5) In every instance where reconsideration is requested or where a statement will be submitted, a complete written statement of the reasons presented at the review is submitted. Reconsideration action must be filed by the appropriate authority upon receipt of the statement or response to Office action as specified in 35 USC 225.225.2(a)(2).

2. Disputes in the transaction of business between the Government and the contractor shall be referred to the contracting officer. The personal attendance of applicants or their attorneys or agents at the Office and the submission of evidence necessary for action by the Office and the Contracting Officer will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, agreement, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based on any interpretation of the law that appears itself incomplete through the failure to record the substance of interviews.

1. The candidate shall be responsible for the following:

Interviews must complete a two-part, open-ended interview. Interviews from or with individuals interviewed prior to January 1, 1978, were a matter of substance that was discussed during the interview and must be open-ended. Interviews with individuals interviewed on or after January 1, 1978, must be open-ended. Discussions regarding procedural matters, limited only to questions about the interview, are not recorded unless the recording is otherwise provided for in Section 312.01 of the Manual of Police Interviewing Procedure. In writing the interview report, the interview must be a direct record of the interview and are prepared from the interview recording procedure below.

The Interview Summary Form shall be given to and appear to the applicant, placed in the report and petition of the file, and listed on the "Contents" list on the file cover. The text of and general requirements used to be given to the applicant, a duplicate copy of the Form is removed and given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If neither correspondence from the examiner is not likely to occur an allowance or if other circumstances dictate, the Form should be mailed promptly after the telephone interview, rather than with the next official communication.

The form provides for accreditation of the following information:

- Type Number of the application
 - Name of applicant
 - Name of examiner
 - Date of interview
 - Date of entry in national or foreign patent
 - Date of participation applicant, attorney or agent, etc.
 - Indication whether or not the applicant was provided with a copy of the attached identification of the claims presented
 - Indication as to the specific issue of the case
 - An indication whether an agreement was reached and a brief description of the general nature of this agreement may be by attachment of a copy of amendments or claims agreed is (very allowable) (Agreement on the allowability and nature of and does not restrict further action by the examiner to the contrary.)
 - The signature of the examiner who conducted the interview
 - Names of other Patent and Trademark Office personnel involved

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

It is desirable that the examiner orally inform the applicant of the substance of the interview in each case unless both applicant and examiner agree that the examiner will sign Form 1. What is the substance of the interview to be recorded on the Form 1 is determined by the Form 1 examiner. The Form 1 examiner should not be required to sign Form 1 without having first discussed the substance of the interview with the applicant. The Form 1 examiner should be required to sign Form 1 only after having discussed the substance of the interview with the applicant and after having signed a separate record of the substance of the interview.

It should be noted, however, that the interview Summary Form will not normally be considered a complete and proper representation of the interview unless it includes, or is supplemented by the applicant or the examiner to indicate, in a suitable form required below concerning the substance of the interview:

- 1) a complete and proper description of the circumstances, facts and issues of the case, including the parties involved;
- 2) a brief description of the nature of any exhibit shown, if any, that was presented and discussed;
- 3) an identification of the claims discussed;
- 4) an identification of specific prior art discussed;
- 5) an identification of the principal disputed matters and the principal arguments advanced in support of the position described on the Interview Summary Form completed by the examiner;
- 6) a brief identification of the general thrust of the principal arguments presented to the examiner. The presentation of arguments need not be lengthy or elaborate. A summary or highly detailed description is being provided as required. The presentation of the arguments is sufficient if the general nature of the thrust of the principal arguments made to the examiner can be ascertained in the context of the description. If, of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels should be persuasively considered;
- 7) a general indication of any other pertinent matters discussed; and
- 8) if appropriate, the general results or outcome of the interview already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's response to the questions and, if the response is complete or accurate, the examiner will give the applicant the opportunity to provide additional information. If the response is incomplete or inaccurate, the examiner will provide the response and hereby avoid duplication of the application (37 CFR 1.135(c)).

EXPERIMENT 3: EFFECT OF ACCURACY

6. The recorder's responsibility of what took place at the interview includes the following: if a statement or other report or statement attributed to the examinee during the interview, if there is an "accuracy" problem, it must be printed out in the next Office letter; if the same are allowable for other reasons of record, the examiner should send a letter setting forth his or her version of the statement attributed to him; if the record is complete and accurate, the examiner should place the indication "statement record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.